

REMARKS/ARGUMENTS

Claims 8-17 are new.

Support for each new and amended claim is found at the originally filed claims and throughout the originally filed specification. Additionally, support for present Claim 8 is found, for example, at originally filed Claim 1. Support for present Claim 9 is found, for example, at page 4, lines 7-9, of the originally filed specification. Support for present Claim 10 is found, for example, at page 5, line 12, of the originally filed specification. Support for present Claims 11-17 is found, for example, at originally filed Claim 1.

Upon entry of the amendment, Claims 1-17 will be active.

No new matter is believed to have been added.

The objection to Claims 3 and 4 is obviated by the amendments to Claims 3 and 4. Withdrawal of the objection is respectfully requested.

The indefiniteness rejection of Claims 1-7 is believed to be obviated by the amendments to Claims 1 and 7. Withdrawal of the indefiniteness rejection is respectfully requested.

The obviousness rejection of Claims 1-7 as being unpatentable in view of Brach, Rintelman, and Paidi is respectfully traversed because the references, either alone or in combination, do not describe or suggest all of the features of present Claims 1-7.

Present Claim 1, and the claims depending therefrom, contain the feature that the converting is conducted in the presence of "an alkali metal hydroxide." This feature is not described or suggested by Brach, and Rintelman and Paidi, as described by the Office, either alone or in combination, do not remedy the deficiency of Brach. Withdrawal of the obviousness rejection is respectfully requested on this basis alone.

Further, in for example, present Claim 1, a metal-free phthalocyanine of the formula (I) is prepared by converting an ortho-phthalodinitrile of the formula Ia into the metal-free

phthalocyanine of formula I in an inert solvent in the presence of ammonia and an alkali metal hydroxide. In the formula Ia, the substituent(s) R are large steric bulk substituent(s) (e.g., 5 or 6 membered saturated heterocyclic rings).

In contrast, Brach appears to describe a process for preparing metal-free phthalocyanines by heating unsubstituted phthalonitrile, or phthalonitriles substituted with a substituent that has small steric bulk, and ammonia in an inert solvent. The process of Brach is applied to unsubstituted phthalonitriles and phthalonitriles with small steric bulk substituents.

Applicants note that the process of Brach is discussed in the originally filed specification at page 2, lines 6-11, where the method of Brach applied to a phthalocyanine contains a large bulk substituent produced a low yield of 37%.

Rintelman appears to describe a process for preparing metal-free phthalocyanines employing an orthoarylene dicyanide in an organic solvent in the presence of a nitrogenous base that is either piperidine or a pipercoline, glycol, and an alkali metal carbonate.

Thus, Rintelman's process requires a combination of elements as described in the previous paragraph. Applicants submit that there would be no motivation to disregard the teachings of Rintelman that require a combination of elements, and instead, to selectively remove the glycol, replace the heterocyclic nitrogenous base of Rintelman with ammonia, and to substitute an alkali metal hydroxide (that must come from somewhere) for an alkali metal carbonate in an attempt to arrive at the inventive process of present Claim 1.

Thus, Applicants submit there is no motivation to combine Rintelman with Brach as the Office has attempted to do.

Further, Applicants submit that the combination of Rintelman and Brach do not describe or suggest each and every feature of, for example, present Claim 1.

Moreover, the deficiencies of Rintelman and Brach are not remedied by the disclosure of Paidi.

Thus, Applicants submit that the Office's attempt to combine Rintelman, Brach, and Paidi relies on hindsight, and is therefore improper.

Accordingly, based on the above-presented arguments, Applicants respectfully request withdrawal of the obviousness rejection.

Applicants submit the present application is now in condition for allowance. Early notification to this effect is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon



---

Charles J. Andres, Jr., Ph.D.  
Attorney of Record  
Registration No. 57,537

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/07)